

7/10/11

PREPARED BY: Doug Nichols
DATE PREPARED: February 2, 2011
PHONE: 471-0052

LB 157

Revision: 02

Updated to reflect amendments adopted through January 27, 2011.

FISCAL NOTE

LÉGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2011-12		FY 2012-13	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS	21,000			
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	21,000			

*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

This bill, as amended, would change guardianship and conservatorship provisions and is operative on January 1, 2012. The amended bill requires a national criminal history record check through a process approved by the State Court Administrator. It also requires a check of the central register of child protection cases and the sex offender registry.

The Supreme Court estimates a one-time cash fund expenditure of \$21,000 for in-person training for all judges and court staff on the new procedures required under this amended bill. The Supreme Court's response follows:

LB 157, as amended by Enrollment and Review amendments (ER6), would require judges and court staff to be trained on many new procedures related to guardianships/conservatorships. The estimated Cash Fund expense for in-person training is \$21,000. This would be additional spending authority from the Supreme Court Education Fund.

No fiscal impact is expected from the requirement that the State Court Administrator approve a process by which a guardian/conservator obtains a national criminal history record check.

The State Patrol estimates no fiscal impact from the provisions of the amended bill and their response follows:

AM106 to LB157 eliminates the requirement: (a) A person who has been nominated for appointment as a guardian or conservator shall obtain the following checks and reports of the results and file such reports with the court at least ten days prior to the appointment hearing date: A national criminal history record check requested from the Nebraska State Patrol;

A national criminal history record check through the Nebraska State Patrol is a fingerprint based criminal history check through the FBI.

The adoption of AM106 then eliminates the requirement for a fingerprint based criminal history record check, and then eliminates the previously submitted fiscal note.

There will be no fiscal impact to the Nebraska State Patrol from LB157 as amended by AM106.

DEPARTMENT OF ADMINISTRATIVE SERVICES

REVIEWED BY	Joe Wilcox	DATE	2/1/11	PHONE	471-2526
COMMENTS					
NEBRASKA STATE PATROL: Previous fiscal note by State Patrol was \$74,062 Cash Funds each year based on performing additional criminal history record checks. With the elimination of this requirement in AM106, I concur with State Patrol analysis that this now creates no fiscal impact to the State Patrol.					

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LEGISLATIVE FISCAL

2011

Please complete ALL (5) blanks in the first three lines.

LB⁽¹⁾ 157, ER 6 FISCAL NOTE

State Agency OR Political Subdivision Name: (2) Supreme Court

Prepared by: (3) Eric Asboe Date Prepared: (4) 2/1/11 Phone: (5) 1-4138

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2011-2012		FY 2012-2013	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

LB 157, as amended by Enrollment and Review amendments (ER6), would require judges and court staff to be trained on many new procedures related to guardianships/conservatorships. The estimated Cash Fund expense for in-person training is \$21,000. This would be additional spending authority from the Supreme Court Education Fund.

No fiscal impact is expected from the requirement that the State Court Administrator approve a process by which a guardian/conservator obtains a national criminal history record check.

MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2011-2012	2012-2013
	11-12	12-13	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				